

AN ORDINANCE

100523

AUTHORIZING AN EXTENSION AGREEMENT AND ADDENDUM TO THE HOUSEKEEPING AND CONVERSION SERVICES AGREEMENT WITH GO PROFESSIONAL ENVIRONMENTAL MANAGEMENT TO PROVIDE THE ALAMODOME AND NELSON W. WOLFF MUNICIPAL STADIUM HOUSEKEEPING AND CONVERSION SERVICES EXERCISING THE FIRST ONE (1)-YEAR RENEWAL OPTION AND EXTENDING THE HOUSEKEEPING AND CONVERSION SERVICES AGREEMENT THROUGH MARCH 21, 2006, IN AN AMOUNT NOT TO EXCEED \$534,893.00; PROVIDING FOR WAIVER OF ADDITIONAL FEES OWED TO GO PROFESSIONAL ENVIRONMENTAL MANAGEMENT FROM MARCH 22, 2004 THROUGH FEBRUARY 14, 2005; AND PROVIDING FOR PAYMENT.

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WHEREAS, Ordinance No. 95383, passed and approved by the City Council on February 28, 2002, authorized the execution of a three (3)-year Housekeeping and Conversion Services Agreement ("Original Agreement"), with two (2) one (1)-year extension options, with Go Professional Environmental Management ("Go Pro"); and

WHEREAS, the outsourcing of housekeeping and conversion services was implemented in order to offset significant worker's compensation expenses and the administrative costs associated with conducting this activity with in-house personnel; and

WHEREAS, under the terms of the Original Agreement, Go Pro was required to inform the City of its desire to execute the first of two (2) one (1)-year extensions at least ninety (90) days prior to expiration date of March 21, 2005, and in a letter to the City dated November 22, 2004, Go Pro expressed its desire to execute the first extension; and

WHEREAS, according to the Original Agreement, the rates payable to Go Pro in the third and final year, beginning March 22, 2004 and ending March 21, 2005, are higher than those in the first two years, however, Go Pro failed to invoice the City at the correct rates for the third and final year of the Original Agreement and they were not therefore paid the increased rates; and

WHEREAS, since Go Pro failed to identify this oversight for almost the entire third year of the Original Agreement and since the fiscal year (Fiscal Year 2003-2004) in which much of Go Pro's services were conducted and the related costs were incurred has concluded, City staff negotiated an addendum with Go Pro indicating Go Pro's waiver of any additional fees that would have resulted from the rate increase for the third year of the agreement for any events held on or before February 14, 2005; and

WHEREAS, under the proposed Extension Agreement and Addendum to the Housekeeping and Conversion Services Agreement, the City will begin paying the higher rate set forth in the Original Agreement for all events during the third year of operation occurring after February 14, 2005 and the Original Agreement will be extended through March 21, 2006; **NOW THEREFORE:**

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SAN ANTONIO:

SECTION 1. The terms and conditions of the Extension Agreement and Addendum to the Housekeeping and Conversion Services Agreement with Go Professional Environmental Management to provide the Alamodome and Nelson W. Wolff Municipal Stadium housekeeping and conversion services exercising the first one (1)-year renewal option and thereby extending the Housekeeping and Conversion Services Agreement through March 21, 2006, in an amount not to exceed \$534,893.00 and providing for waiver of additional fees owed to Go Professional Environmental Management from March 22, 2004 through February 14, 2005, are hereby authorized and approved.

SECTION 2. The Interim City Manager or his designee is authorized, for a sixty (60)-day period following the effective date of this Ordinance, to execute the Extension Agreement and Addendum to the Housekeeping and Conversion Services Agreement. A copy of said Extension Agreement and Addendum, previously executed by Go Professional Environmental Management, is attached hereto and incorporated herein as Attachment I.

SECTION 3. Funds in an amount not to exceed \$202,802.00 are authorized to be encumbered in Fund 2901600, entitled "HOT/Alamodome" Cost Center 4504010001, General Ledger 5201040, entitled "Fees to Professional Contractors" and are made payable to Go Professional Environmental Management from March 22, 2005 to September 30, 2005. Additional funds shall be encumbered in Fiscal Year 2006 to cover the remainder of the Agreement, if appropriated during the annual budget process.

SECTION 4. Funds in the amount not to exceed \$77,772.00 are authorized to be encumbered in Fund 29068000, entitled "Wolff Stadium" Cost Center 4505010001, General Ledger 5201040, entitled "Fees to Professional Contractors" and are made payable to Go Professional Environmental Management from March 22, 2005 to September 30, 2005.

SECTION 4. The financial allocations in this Ordinance are subject to approval by the Director of Finance, City of San Antonio. The Director may, subject to concurrence by the City Manager or the City Manager's designee, correct allocations to specific Cost Centers, WBS Elements, Internal Orders, General Ledger Accounts, and Fund Numbers as necessary to carry out the purpose of this Ordinance.

SECTION 5. This Ordinance shall be effective on and after the tenth day after passage hereof.

PASSED AND APPROVED this 10th day of March, 2005.



M A Y O R

EDWARD D. GARZA

ATTEST:


City Clerk

APPROVED AS TO FORM: _____


for City Attorney